



City of Huntington Beach

2000 Main Street ♦ PO Box 190 ♦ CA 92648

Travis K. Hopkins, PE
Director

Department of Public Works
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April 9, 2009

Via e-mail (M. Brown) and U.S. Mail

Mr. Gerald J. Thibeault
Executive Director
California Regional Water Quality Control Board, Santa Ana Region
3737 Main Street, Suite 500
Riverside, CA 92501-3348

Subject: Comments Regarding Second Draft of Order No. R8-2009-0030 (NPDES No. CAS618030), Waste Discharge Requirements for the County of Orange, Orange County Flood Control District and the Incorporated Cities of Orange County within the Santa Ana Region Areawide Urban Storm Water Runoff

Dear Mr. Thibeault:

Thank you for the opportunity to comment on the second draft of the *Waste Discharge Requirements for the County of Orange, Orange County Flood Control District and the Incorporated Cities of Orange County within the Santa Ana Region Areawide Urban Storm Water Runoff Orange County* (permit). The City of Huntington Beach has reviewed the comment letter provided by the County of Orange (County) dated April 9, 2009 and concurs with their comments. Additionally, the City has the following additional comments to the Permit:

- **Sections N.71, X.2 and X.3** require inspection of commercial facilities to be ranked by priority, with a minimum criterion of 10% of the sites ranked "high"; 40% of the sites ranked "medium"; and the remainder of sites ranked "low" with regard to potential for pollutant discharge. As stated in our previous letter dated February 13, 2009, the number of high priority inspections within the City would increase from 36 to 357, which is an increase of 992%. The number of commercial inspections for high, medium, and low combined will increase from approximately 72 to 608 on an annual basis.

In addition, the City's environmental inspectors have received complaints from business owners regarding the inspection fees the City imposes in conjunction with the state of the economy. Currently, businesses pay \$231 per inspection for the term of the permit. With this new permit, they will be paying \$231 annually, not including any fee adjustments on an annual basis. Additionally, the inspectors have found that some "high" priority commercial facilities do not require an annual inspection and that a self-certification for those businesses would be acceptable. The City would like to allow these businesses to submit a self-certification four out of the five years of the permit term, with inspectors conducting a thorough inspection at least once during the term of the permit. If a high priority commercial facility is found to be non-compliant during the term of the permit, that facility would then be inspected on an annual basis to attain compliance with the permit. This self-certification would be in addition to the data gathering by the Permittees would be submitted in the City's annual report/Program Effectiveness Assessment.

- **Sections X.3 and X.5** require photographic documentation for all commercial facilities. The City recommends that the requirement be consistent with Section IX.3 Municipal Inspections of Industrial Facilities which requires photographic documentation when there is a water quality violation.
- The City agrees with the County's suggestion to refine existing enforcement reporting mechanisms, rather than creating additional reporting obligations which would require the submission of a copy of our entire enforcement database annually. Refining would enable more consistency, reduce administrative burden, and perhaps allow for the creation of a database similar to the California Integrated Water Quality System (CIWQS) that could provide consistency amongst Permittees. This database could be used for reporting of enforcement/water quality violations, would be accessible by the Regional Board, and would also allow similar public access for transparency as CIWQS.

If you have any questions related to the above comments, please do not hesitate to contact Terri Elliott at 714-375-8494.

Sincerely,



Tony Olmos, PE
City Engineer

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